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October 16, 2020

By ECF

The Honorable Katherine Polk Failla
United States District Court Judge for the
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Pacific Life Ins. Co. v. The Bank of New York Mellon, 17-cv-1388-KPF

**Subject: Sealing Request Regarding Plaintiffs' Oppositions to
Defendants' Motions Exclude Opinions and Testimony of
Plaintiffs' Experts [ECF Nos. 150-159]**

Dear Judge Failla:

Pursuant to Rule 9 of your Individual Practices, Plaintiffs Pacific Life Insurance Co., and Pacific Life & Annuity Co. request permission to redact portions of the documents attached as Exhibits 7, 11, 14, 22 (the "Redacted Exhibits") to the Declaration of Philip R. Schatz in Opposition to BNYM's Motions to Exclude the Opinions of PacLife's Experts [ECF Nos. 150-159] and references to them in PacLife's Memorandum of Law in Opposition to BNYM's Motion to Exclude Opinions of Ingrid Beckles ("Beckles Opposition") and to file under seal documents attached as Exhibits 6 and 8 (the "Sealed Exhibits") to the Schatz Declaration. The Sealed Exhibits and redacted portions of the Redacted Exhibits and Beckles Opposition have been designated as "Confidential" by BNYM under the Protective Order in this case [ECF No. 72], and BNYM has requested that we file them under seal. As required by Rule 9(B), we will file under seal unredacted copies of the Redacted Exhibits, Sealed Exhibits and Beckles Opposition. We are also emailing Chambers unredacted clean copies of the Redacted Exhibits, Sealed Exhibits and Beckles Opposition as well as copies highlighting the information that has been redacted in response to BNYM's request.

The redacted portions of the Redacted Exhibits, Sealed Exhibits and Beckles Opposition do not contain information concerning Plaintiffs. Plaintiffs do not concede that materials designated as confidential by BNYM are confidential, or that the redactions are appropriate.

Respectfully submitted,

/s/ Ryan A. Kane

Ryan A. Kane

Application GRANTED. Plaintiffs may redact portions of Exhibits 7, 11, 14, and 22 to the Declaration of Philip R. Schatz, as well as references to those exhibits in their briefing, and may file under seal unredacted copies of those exhibits. Plaintiffs may also file under seal Exhibits 6 and 8 to the Declaration of Philip R. Schatz. The sealed copies shall be viewable to the Court and parties only.

Dated: October 19, 2020
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE